MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

TUESDAY, JUNE 14, 2005 1:00 p.m.

MOTIONS AND RESOLUTIONS

4402 Rep. Hansen

HB

Education; employees; background check on special education personnel employed by public schools; require.

Amends secs. 1230 & 1230a of 1976 PA 451 (MCL 380.1230 & 380.1230a).

(Notice of intent to discharge from the Committee on Education given by Rep. Hopgood May 4, 2005.)

(Motion to discharge; passed for day May 5, 2005.)

2

HB 4758 Rep. Kathleen Law

Environmental protection; landfills; solid waste; establish disposal charge.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11532a & 11532b.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

3

HB 4759 Rep. Espinoza

Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.

Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May $18,\,2005$.)

4

HB 4760 Rep. Kehrl

Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.

Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

MOTIONS AND RESOLUTIONS

_____ 5 _____

HB 4761 Rep. Miller

Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.

Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

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HB 4762 Rep. McDowell

Environmental protection; solid waste; civil infractions for solid waste violations; establish.

Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

REPORTS OF STANDING COMMITTEES

7

HR 79 Rep. Anderson

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(For text of resolution, see House Journal No. 48, page 718 or Session Website; laid over 1 day June 8, 2005.)

HCR 15 Rep. Stahl

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(For text of resolution, see House Journal No. 46, page 700 or Session Website; laid over 1 day June 8, 2005.)

MESSAGES FROM THE SENATE

9

HB 4405 Rep. Whitmer

Health; pharmaceuticals; prohibition against mail-order pharmacies; eliminate.

Amends secs. 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.).

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day May 17, 2005.)

(I.E. House April 21, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

HB 4702 Rep. Pavlov

Crimes; other; disseminating sexually explicit matter to minors; include video game in definition of sexually explicit matter.

Amends sec. 3 of 1978 PA 33 (MCL 722.673).

(Returned from Senate with amendment and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendment, see House Journal No. 49, page 744 or Session Website.)

HB 4703 Rep. Pearce

Trade; consumer goods and services; sign posted with video game rating system; require and require brochure to be available explaining rating system.

Amends title of 1931 PA 328 (MCL 750.1 - 750.568) & adds sec. 143a.

(Returned from Senate with amendments and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendments, see House Journal No. 49, page 744 or Session Website.)

____ 12 _____

HB 4560 Rep. Moore

Natural resources; nonnative species; violations of emerald ash borer quarantine; revise penalties for.

Amends title & sec. 9 of 1945 PA 72 (MCL 286.259) & adds sec. 10.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day June 9, 2005.)

(For Senate substitute (S-1), see Session Website.)

— 13 ———

HB 4562 Rep. Newell

Natural resources; nonnative species; moving emerald ash borer, firewood, or quarantined articles; revise penalties for

Amends title of 1931 PA 189 (MCL 286.201 - 286.226) & adds secs. 28 & 29.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day June 9, 2005.)

(For Senate substitute (S-1), see Session Website.)

MESSAGES FROM THE SENATE

— 14 ———

HB 4567 Rep. Booher

Natural resources; nonnative species; sentencing guidelines for crimes of violating insect and plant pest quarantines; establish.

Amends sec. 12m, ch. XVII of 1927 PA 175 (MCL 777.12m).

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day June 9, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

THIRD READING

_____ 15 _____

HJR C Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

(Reported by the Committee on Education.)

(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)

(Vote reconsidered; passed for day May 4, 2005.) (For House substitute (H-4), see Session Website.)

HB 4037 Rep. Condino

Health; pharmaceuticals; toll-free number for information regarding prescription drug programs; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9171.

(Reported by the Committee on Health Policy.) (For House substitute (H-1), see Session Website.)

SECOND READING

17 —

HB 4374 Rep. Marleau

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)

HB 4403 Rep. Walker

Occupations; physicians; delegation of certain acts, tasks, or functions to a certified surgical technologist or certified surgical first assistant; allow under certain circumstances.

Amends sec. 16215 of 1978 PA 368 (MCL 333.16215).

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

—— 19 ———

SB 170 Sen. Patterson

Crimes; domestic violence; certain warrant and police policies for domestic violence involving individuals who have had a dating relationship; establish and revise other sentencing guideline provisions.

Amends sec. 1a, ch. IV, sec. 16a, ch. IX, sec. 22, ch. XVI & secs. 15g, 16m & 16s, ch. XVII of 1927 PA 175 (MCL

(Reported by the Committee on Judiciary.)

_____ 20 _____

HB 4204 Rep. Gosselin

Sales tax; collections; sales tax collection on gasoline; provide for cap.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website.) ____ 21 _____

HB 4206 Rep. Stakoe

Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.

Amends sec. 10 of 1986 PA 54 (MCL 338.2310).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

____ 22 _____

HB 4207 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 39 of 2002 PA 733 (MCL 338.3549).

(Reported by the Committee on Local Government and Urban Policy.)

____ 23 _____

HB 4208 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 7a of 1956 PA 217 (MCL 338.887a).

(Reported by the Committee on Local Government and Urban Policy.)

— 24 ——

HB 4209 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.

(Reported by the Committee on Local Government and Urban Policy.)

4257 Rep. Walker HB

Taxation; farmland and open space; agricultural security areas; provide for.

Amends heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

(Reported by the Committee on Natural Resources, **Great Lakes, Land Use, and Environment.)**

(For proposed House substitute (H-1), see Session Website.)

SECOND READING

— 26 ———

HB 4360 Rep. Bieda

Higher education; community colleges; removal of board members who miss board meetings without valid excuses;

Amends sec. 157 of 1966 PA 331 (MCL 389.157).

(Reported by the Committee on Higher Education and Career Preparation.)

____ 27 _____ **HB 4235** Rep. Nitz

Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.

Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et

(Reported by the Committee on Agriculture.)

_____ 28 _____

301 Sen. Gilbert SB

State; identification cards; heart logo on personal identification cards; allow.

Amends secs. 1 & 2 of 1972 PA 222 (MCL 28.291 &

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

— 29 **—** —

4133 Rep. Mortimer HB

Civil procedure; service of process; prohibition of process service on Sunday and election day; repeal.

Repeals sec. 1831 of 1961 PA 236 (MCL 600.1831).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

— 30 ———

HB 4274 Rep. Vander Veen

Insurance; third party administrators; disclosure of certain claims history to certain persons; provide for.

Amends sec. 34 of 1984 PA 218 (MCL 550.934) & adds

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

____ 31 _____

SB 72 Sen. Birkholz

Education; students; pledge of allegiance; require to be offered in public schools.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1304.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.) 32 _____

4473 Rep. Ward

Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for.

Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

____ 33 _____

HB 4740 Rep. Nitz

Transportation; other; roadside memorial program; provide for.

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 76.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-3), see Session Website.)

HB 4588 Rep. Van Regenmorter

Crime victims; rights; comprehensive changes to crime victim's rights act; enact.

Amends secs. 2, 6, 13a, 16, 16a, 18, 18a, 19, 20, 21, 31, 44, 44a, 46, 47, 61, 65, 76, 76a, 78 & 81 of 1985 PA 87 (MCL 780.752 et seq.) & adds sec. 19a.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-2), see Session Website.)

____ 35 ____

HB 4729 Rep. Tobocman

Property; land sales; municipal employees to purchase land in cities inventory; allow.

Amends sec. 4 of 1968 PA 317 (MCL 15.324).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-1), see Session Website.)

____ 36 _____

HB 4465 Rep. Steil

Natural resources; hunting; internet hunting; prohibit.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40111b.

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

(For proposed House substitute (H-3), see Session Website.)

— 37 ——

HB 4710 Rep. Acciavatti

Natural resources; nonnative species; prohibited insect and aquatic plant species; identify.

Amends sec. 41301 of 1994 PA 451 (MCL 324.41301).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-2), see Session Website.)

___ 38 _____

HB 4711 Rep. Palsrok

Natural resources; nonnative species; prohibition on "release" of certain fish species; revise to cover "introduction" of certain insect and aquatic plant species.

Amends sec. 41303 of 1994 PA 451 (MCL 324.41303).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-2), see Session Website.)

SECOND READING

— 39 ———

HB 4712 Rep. Moore

Natural resources; nonnative species; genetically engineered aquatic plants; recognize in natural resources and environmental protection act and prohibit introduction of genetically engineered aquatic plants or nonnative aquatic plants.

Amends sec. 41305 of 1994 PA 451 (MCL 324.41305).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-1), see Session Website.)

HB 4713 Rep. Proos

Natural resources; nonnative species; requirements and penalties; require to post on department of natural resources website.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 41313.

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-3), see Session Website.)

HB 4714 Rep. Pavlov

Natural resources; nonnative species; nonnative species advisory council; establish.

Amends 1994 PA 451 (MCL 324.101 to 324.90106) by adding sec. 41321.

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-2), see Session Website.)

HB 4715 Rep. Hansen

Natural resources; nonnative species; nonnative species advisory council; specify duties of.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 41323.

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-2), see Session Website.)

HB 4716 Rep. Farhat

Natural resources; nonnative species; penalties; clarify state of mind required as element of violation.

Amends sec. 41309 of 1994 PA 451 (MCL 324.41309).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-3), see Session Website.)

— 44 ———

SB 73 Sen. Birkholz

Environmental protection; air pollution; nonattainment area offsets; establish conditions for.

Amends sec. 5505 of 1994 PA 451 (MCL 324.5505).

(Reported by the Committee on Natural Resources, **Great Lakes, Land Use, and Environment.)**

(For Senate substitute (S-2), see Session Website.)

79 Sen. McManus SB

Counties; other; voter approval for waste reduction program and funding amounts; provide for.

Amends sec. 8a of 1967 (Ex Sess) PA 7 (MCL 124.508a).

(Reported by the Committee on Natural Resources, **Great Lakes, Land Use, and Environment.)**

(For Senate substitute (S-3), see Session Website.)

4852 Rep. Casperson HB

Transportation; carriers; revisions to motor carrier safety act to comply with federal law; provide for.

Amends title & secs. 1a, 2d, 3, 4, 5, 6, 7, 7a, 7b, 7c, 7d, 11 & 12 of 1963 PA 181 (MCL 480.11a et seq.); adds secs. 4a, 13, 14 & 15 & repeals acts and parts of acts.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-3), see Session Website.)

4857 Rep. LaJoy HB

> Transportation; other; revisions to motor bus transportation act to comply with federal law; provide for.

Amends sec. 31 of 1982 PA 432 (MCL 474.131).

(Reported by the Committee on Transportation.)

— 48 —

HB 4858 Rep. Anderson

Traffic control; other; certain requirements for commercial vehicle operators; revise to comply with federal law.

Amends secs. 683, 723 & 724 of 1949 PA 300 (MCL 257.683 et seq.); adds sec. 312g & repeals secs. 714a & 714b of 1949 PA 300 (MCL 257.714a & 257.714b).

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-1), see Session Website.)

____ 49 ____

SB 384 Sen. Scott

Holidays; "Juneteenth National Freedom Day"; designate as third Saturday in June.

Creates new act.

(Reported by the Committee on Government **Operations.**)

(For Senate substitute (S-1), see Session Website.)

SECOND READING

— 50 ——

SB 302 Sen. Bernero

State; purchasing; reporting requirements of certain departments for contracts with businesses owned by persons with disabilities; modify.

Amends sec. 3 of 1988 PA 112 (MCL 450.793).

(Reported by the Committee on Veterans Affairs and **Homeland Security.)**

(For Senate substitute (S-1), see Session Website.)

303 Sen. Toy SB

State; purchasing; state procurement program for small businesses owned by veterans with service-related disabilities; create.

Amends sec. 261 of 1984 PA 431 (MCL 18.1261).

(Reported by the Committee on Veterans Affairs and **Homeland Security.**)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

— 52 —

SB 2 Sen. Jelinek

Agriculture; animals; procedure used for composting of dead animals; revise.

Amends secs. 3, 4, 15, 19 & 21 of 1982 PA 239 (MCL 287.653 et seq.).

(Reported by the Committee on Agriculture.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-3), see Session Website.)

HB 4217 Rep. Rocca

Elections; petitions; ballot language printed on front of petition; require and establish that if circulator is being paid, it must be printed on front of petition.

Amends secs. 482 & 488 of 1954 PA 116 (MCL 168.482) & 168.488).

(Reported by the Committee on House Oversight, **Elections, and Ethics.**)

(For proposed House substitute (H-1), see Session HB 4328 Rep. Drolet
Elections and the second second

Elections; petitions; size of initiative and referendum petition form; revise.

Amends sec. 482 of 1954 PA 116 (MCL 168.482).

(Reported by the Committee on House Oversight, **Elections, and Ethics.**)

(For proposed House substitute (H-2), see Session Website.)

— 55 —

4801 Rep. David Law HB

Elections; recounts; recount deposit; increase to 100% of estimated cost of the recount.

Amends secs. 867 & 881 of 1954 PA 116 (MCL 168.867 & 168.881).

(Reported by the Committee on House Oversight, **Elections, and Ethics.**)

(For proposed House substitute (H-3), see Session Website.)

- 56 —

SB 512 Sen. Hammerstrom

Libraries; district; filing deadline for board member election; revise and revise certification process.

Amends secs. 2, 3, 4, 11, 12, 15, 19, 20, 21, 23 & 24 of 1989 PA 24 (MCL 397.172 et seq.) & adds sec. 3a.

(Reported by the Committee on House Oversight, Elections, and Ethics.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

SB 513 Sen. Hammerstrom

Elections; other; regular, school district, village, and recall elections; provide general amendments.

Amends secs. 301, 302, 312, 370, 381, 498, 641, 642a, 653a, 699 & 963 of 1954 PA 116 (MCL 168.301 et seq.).

(Reported by the Committee on House Oversight, Elections, and Ethics.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)